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December 31, 2001

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Magalie Roman Salas, Secretary  
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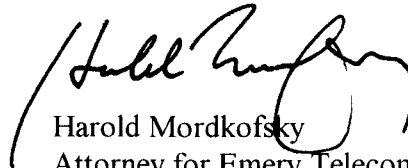
**Re:    *Quarterly TTY Implementation Report and Request for Waiver***  
***CC Docket No. 94-102***  
***Broadband PCS Station WPOK951***  
***BTA168: Grand Junction, Colorado***

Dear Ms. Salas:

On behalf of Emery Telecommunications & Video, Inc., we are submitting herewith its quarterly report addressing the requirements in CC Docket No. 94-102 for digital wireless systems to provide TTY access to E-911 emergency calling systems. This report also includes a request for waiver of the December 31, 2001 deadline in this docket.

Please refer any questions or correspondence to this office.

Very truly yours,



Harold Mordkofsky  
Attorney for Emery Telecommunications  
& Video, Inc.



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December 31, 2001

Ms. Magalie Roman Salas, Secretary  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Room TW-A325  
Washington, DC 20554

**Re:    *Quarterly TTY Implementation Report and Request for Waiver*  
      *CC Docket No. 94-102*  
      *Broadband PCS Stations WPOK951*  
      *BTA168: Grand Junction, Colorado***

Dear Ms. Salas:

Emery Telecommunications & Video, Inc. ("Emery") hereby submits its quarterly report on implementation of Text Telephone ("TTY") access to E911 over its digital wireless network, pursuant to the Commission's *Fourth Report and Order* in CC Docket No. 94-102, *released* December 14, 2000, and requests a waiver to the extent deemed necessary, of the requirement therein establishing December 31, 2001 as the deadline for carriers operating digital wireless systems to have obtained all software upgrades and equipment necessary to make their systems capable of transmitting 911 calls from TTY devices.

Emery launched its service in November, 2001 under a management agreement with San Isabel Telecom, Inc. ("San Isabel"). San Isabel is using Lucent CDMA base stations and switching equipment in its network. Thus, Emery is dependent on Lucent for the provision and installation (on a turnkey basis) of the equipment and software necessary to allow its digital wireless network to process 911 calls originating from TTY devices. We understand that Lucent will be providing information about TTY compatibility of their CDMA equipment in their quarterly update filing through the TTY Forum.

We are encouraged by the progress that Lucent has made in developing a TTY solution for its CDMA customers and we look forward to the results of further testing. However, Emery is a small carrier and lacks the resources to obtain network software and infrastructure equipment before it has been fully tested and is commercially available to all carriers. Emery will therefore not be able to meet the December 31, 2001 deadline by which carriers operating digital systems must have obtained all software upgrades and

equipment necessary to make their systems capable of transmitting 911 calls from TTY devices. To the extent necessary, Emery requests that the Commission waive the December 31, 2001 requirement. It should be emphasized that the waiver is being requested out of an abundance of caution; *i.e.*, a waiver does not appear to be necessary because there is no mention of the December 31, 2001 deadline in Section 20.18(c) of the Commission's Rules.

Emery is a small carrier serving a rural area, and lacks any influence over the research and development activities of its equipment vendors. We will make every effort to implement TTY capability in our network by the June 30, 2002 deadline.

Sincerely,

By:



Gregory Kilpack  
General Manager

Emery Telecommunications & Video, Inc.